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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|-------------------------|------------------|
| 09/664,165 | 09/18/2000 | John Border | PD-990184 | 4161 |
| 20991 | 7590 | 11/24/2004 | EXAMINER | |
| THE DIRECTV GROUP INC | | | VO, VIET DUY | |
| PATENT DOCKET ADMINISTRATION RE/R11/A109 | | | ART UNIT | PAPER NUMBER |
| P O BOX 956 | | | 2154 | |
| EL SEGUNDO, CA 90245-0956 | | | DATE MAILED: 11/24/2004 | |

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/664,165 | BORDER ET AL. | |
| | Examiner | Art Unit | |
| | Viet Vu | 2154 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 01 November 2004.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1,3,5,6,8-19,21,23,24,27-34,36-38 and 43-46 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) 1,3,8-19,21,27-32 and 44 is/are allowed.

6) Claim(s) 5,6,23,24,33,34,36-38,43,45 and 46 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date _____

5) Notice of Informal Patent Application (PTO-152)

6) Other: _____

Art Unit: 2154

Art Rejections:

1. The text of 35 U.S.C. § 103(a) not cited here can be found in the previous office action.

2. Claims 5-6, 23-24, 33-34, 36-38, 43 and 45-46 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Heddaya U.S. pat. No. 6,205,481 in view of Green et al, U.S. pat. No. 6,003,084.

Per claims 6, 24, 33-34, 36-38, 43 and 45-46, Heddaya discloses a system and method for spoofing TCP communications over the networks comprising:

a) means for determining specific TCP communication, e.g., detecting SYN packet directed to HTTP ports (see col 9, lines 55-60),

b) means for selectively performing one or more TCP spoofing between a http client applicant and a http server in accordance with determined TCP communication and/or other application level determination, i.e., whether a requested document resides in the local cache (see col 9, line 61 - col 10, line 31).

Heddaya does not explicitly teach checking IP address or TCP port number of a packet. The use of IP address or TCP port number to determine type of communication request

Art Unit: 2154

is well known in the art as disclosed in Green (see Green's col 2, lines 27-40).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize in Heddaya such steps of checking the received packet including IP source/destination addresses and TCP port number, etc., because it would have enabled detecting a communication type request (see Heddaya's col 9, lines 57-60).

Per claims 5 and 23, it is noted that the use of filtering rules to implement data filtering at a firewall or proxy device is well known in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize spoofing rules to implement spoofing operations at the firewall or proxy device (see Green's col 5, lines 1-15).

Allowable Subject Matter:

3. Claims 1, 3, 8-19, 21, 27-32 and 44 are allowed over prior art of record.

Art Unit: 2154

Response to Amendment:

4. Applicant's arguments filed on 11/1/04 with respect to claims 5-6, 23-24, 33-34, 36-38, 43 and 45-46 are moot in view of new grounds of rejection set forth above.

Conclusion:

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Viet Vu whose telephone number is 571-272-3977. The examiner can normally be reached on Monday through Friday from 7:00am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee, can be reached on 571-272-3964.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600.



VIET D. VU
PRIMARY EXAMINER

Art Unit 2154
11/22/04